

TOP TEN FEDERAL DEFICIENCIES FOR HOSPITAL CERTIFICATION:
(01-01-05 through 12-31-05)
All Classifications of Hospitals Combined

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| 1. 482.13(a)(1) | Notice of Rights |
| 2. 482.23(b)(3) | RN Supervision of Nursing Care |
| 3. 489.20 (r)(3) | ER Log |
| 4. 489.24 (a) and (c) | Medical Screening Exam |
| 5. 482.22(c) | Medical Staff ByLaws |
| 6. NFPA 101 | Life Safety Code Standard |
| 7. 482.23(b) | Staffing and Delivery of Care |
| 8. 482.23(b)(4) | Nursing Care Plan |
| 9. 482.23 (c) | Adminstration of Drugs |
| 10. 482.13(e)(1) | Right to Freedom from Restraints |

Tag 0400: A hospital must inform each patient, or when appropriate, the patient's representative (as allowed under State law), of the patient's rights, in advance of furnishing or discontinuing patient care whenever possible

Tag 0204: A registered nurse must supervise and evaluate the nursing care for each patient.

Tag 0405: The provider agrees, in the case of a hospital as defined in §489.24(b) (including both the transferring and receiving hospitals), to maintain a central log on each individual who comes to the emergency department, as defined in §489.24(b), seeking assistance and whether he or she refused treatment, was refused treatment, or whether he or she was transferred, admitted and treated, stabilized and transferred, or discharged.

The provisions of this regulation apply to all hospitals that participate in Medicare and provide emergency services.

Tag 0406: In the case of a hospital that has an emergency department, if an individual (whether or not eligible for Medicare benefits and regardless of ability to pay) "comes to the emergency department", as defined in paragraph (b) of this section, the hospital must provide an appropriate medical screening examination within the capability of the hospital's emergency department, including ancillary services routinely available to the emergency department, to determine whether or not an emergency medical condition exists. The examination must be conducted by an individual(s) who is determined qualified by hospital bylaws or rules and regulations and who meets the requirements of §482.55 of this chapter concerning emergency services personnel and direction.

If an emergency medical condition is determined to exist, the hospital must provide any necessary stabilizing treatment, as defined in paragraph (d) of this section, or an appropriate transfer as defined in paragraph (e) of this section. If the hospital admits the individual as an inpatient for further treatment, the hospital's obligation under this section ends, as specified in paragraph (d)(2) of this section.

Sanctions under this section for inappropriate transfer during a national emergency do not apply to a hospital with a dedicated emergency department located in an emergency area, as specified in section 1135(g)(1) of the Act.

If an individual comes to a hospital's dedicated emergency department and a request is made on his or her behalf for examination or treatment for a medical condition, but the nature of the request makes it clear that the medical condition is not of an emergency nature, the hospital is required only to perform such screening as would be appropriate for any individual presenting in that manner, to determine that the individual does not have an emergency medical condition.

Tag 0186: The medical staff must adopt and enforce bylaws to carry out its responsibilities.

Tag 0039: Gift shops shall be protected as hazardous areas when used for the storage or display of combustibles in quantities considered hazardous. 13-3.2.3.

Tag 0201: The nursing service must have adequate numbers of licensed registered nurses, licensed practical (vocational) nurses, and other personnel to provide nursing care to all patients as needed. There must be supervisory and staff personnel for each department or nursing unit to ensure, when needed, the immediate availability of a registered nurse for bedside care of any patient.

Tag 0205: The hospital must ensure that the nursing staff develops, and keeps current, a nursing care plan for each patient.

Tag 0208: Drugs and biologicals must be prepared and administered in accordance with Federal and State laws, the orders of the practitioner or practitioners responsible for the patient's care as specified under §482.12(c), and accepted standards of practice.

Tag 0063: The patient has the right to be free from restraints of any form that are not medically necessary or are used as a means of coercion, discipline, convenience, or retaliation by staff.

The term "restraint" includes either a physical restraint or a drug that is being used as a restraint.

A physical restraint is any manual method or physical or mechanical device, material, or equipment attached or adjacent to the patient's body that he or she cannot easily remove that restricts freedom of movement or normal access to one's body.

A drug used as a restraint is a medication used to control behavior or to restrict the patient's freedom of movement, and is not a standard treatment for the patient's medical or psychiatric condition.

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